

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**UTILITY PATENT APPLICATION  
TRANSMITTAL LETTER  
UNDER 37 C.F.R. 1.53(b)**

ATTORNEY DOCKET NO.:  
11245/46605

Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231  
Box Patent Application

Transmitted herewith for filing is the patent application of

Inventor(s): **Harlan W. WAKSAL**

For : **TREATMENT OF REFRACTORY HUMAN TUMORS WITH  
EPIDERMAL GROWTH FACTOR RECEPTOR ANTAGONISTS**

Enclosed are:

1. **24** sheets of specification, **4** sheets of claims, **1** sheet of abstract
2. Declaration and Power of Attorney (copy from prior application (37 CFR 1.63(d))  
(See paragraph 5 below).
3. Incorporation by Reference. The entire disclosure of the prior application, from which  
a copy of the oath or declaration is supplied under paragraph 4 above is considered as  
being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
4. Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers and  
Appointment of New Power) (copy from prior application Serial No. 09/374,028).
5. Continuing application information:

This application is a continuation of U.S. application serial  
number 09/840,146, filed April 24, 2001, which is a  
continuation of U.S. application serial number 09/374,028,  
filed August 13, 1999

6. Other enclosures:

1. Information Disclosure Statement and PTO-1449.  
Copies of each patent, publication or other information listed on the modified  
PTO form 1449 are not enclosed since they are cited and have been submitted  
to the Patent Office in prior application Serial Nos. 09/840,146 and  
09/374,028, which are relied upon for an earlier filing date under 35 U.S.C.  
120.
2. Return Receipt Postcard
3. Assignment Papers from prior application Serial No. 09/374,028

JC857 U.S. PTO  
09/996954  
11/30/01

7. Applicant is a small entity and is entitled to small entity status.

8. The filing fee has been calculated as shown below:

	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
BASIC FEE				740.00
TOTAL CLAIMS	33 - 20 =	13	18.00	234.00
INDEPENDENT CLAIMS	3 - 3 =		84.00	
MULTIPLE DEPENDENT CLAIM PRESENT			260.00	0.00
*Number extra must be zero or larger			TOTAL	974.00
If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	487.00

9. Please charge the required application filing fee of **\$487.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.


10. The Commissioner is hereby authorized to charge payment of the following fees, associated with this communication or arising during the pendency of this application, or to credit any overpayment to deposit account number **11-0600**:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

11. A copy of this sheet is enclosed.

Dated: November 30, 2001

By:

  
Kathryn M. Lamb (Reg. No. 46,885)